

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

CARLOS ALBERTO CASTANO-LOAIZA,

ORDER OF
JUDICIAL REMOVAL

19 Cr. 648 (JMF)

Defendant.

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Upon the application of the United States of America, by Elinor L. Tarlow, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of CARLOS ALBERTO CASTANO-LOAIZA, and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Colombia and a citizen of Colombia.
3. The defendant was paroled into the United States at or near Newark, New Jersey, on or about September 1, 2021.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, for the offense of narcotics importation conspiracy. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21,

United States Code, Sections 963, 952(a), 959(c), 960(a)(1), 960(a)(3), and 960(b)(1).

The Defendant will also be convicted in the United States District Court, Southern District of New York, for the offense of attempted narcotics importation. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 963, 952(a), 960(a)(1) and 960(b)(1).

5. A maximum sentence of life imprisonment may be imposed for these offenses. A mandatory minimum term of imprisonment that may be imposed for these offenses is ten years.

6. The defendant is subject to removal pursuant to Section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act of 1952, as amended (“INA”), 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien convicted of acts which constitute a crime involving moral turpitude; Section 212(a)(2)(A)(i)(II) of the INA, 8 U.S.C. § 1182(a)(2)(A)(i)(II), as an alien who has been convicted of, or who admits having committed acts which constitute the essential elements of, a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance; Section 212(a)(2)(C) of the INA, 8 U.S.C. § 1182(a)(2)(C), as an alien that a consular or immigration officers knows or has reason to believe is or has been an illicit trafficker in any controlled substance or has been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking in any such controlled substance; and Section 212(a)(7)(A)(i)(I) of the INA, 8 U.S.C. § 1182 (a)(7)(A)(i)(I), as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under Section 211(a) of the Act.

7. The defendant has waived his right to notice and a hearing under Section 238(c) of

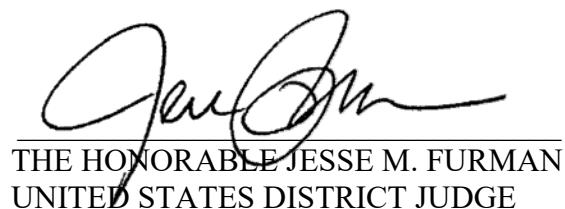
the INA, 8 U.S.C. § 1228(c).

8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

9. The defendant has designated Colombia as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to Colombia.

Dated: New York, New York The Clerk of Court is directed to terminate Doc. #83.
May 19, 2023



THE HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

CARLOS ALBERTO CASTANO-LOAIZA

NOTICE OF INTENT TO
REQUEST JUDICIAL
REMOVAL

19 Cr. 648 (JMF)

Defendant.

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NOTICE IS HEREBY GIVEN TO CARLOS ALBERTO CASTANO-LOAIZA, and to his attorney of record, Richard Ma, Esq. that upon conviction of the defendant for a violation of Title 21 United States Code, Sections 963, 952(a), 959(c), 960(a)(1), 960(a)(3), and 960(b)(1), the United States of America shall request that the Court issue a Judicial Order of Removal against the defendant pursuant to Section 238(c) of the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. § 1228(c).

Dated: New York, New York
 May 5, 2023

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By:



Elinor L. Tarlow
Assistant United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

CARLOS ALBERTO CASTANO-LOAIZA,

FACTUAL ALLEGATIONS IN
SUPPORT OF JUDICIAL
REMOVAL

19 Cr. 648 (JMF)

Defendant.

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NOTICE IS HEREBY GIVEN TO CARLOS ALBERTO CASTANO-LOAIZA, and to his attorney of record, Richard Ma, Esq., that the United States of America alleges the following facts in support of the Notice of Intent to Request Judicial Removal:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Colombia and a citizen of Colombia.
3. The defendant was paroled into the United States at or near Newark, New Jersey, on or about September 1, 2021.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, for the offense of narcotics importation conspiracy. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 963, 952(a), 959(c), 960(a)(1), 960(a)(3), and 960(b)(1).

The Defendant will also be convicted in the United States District Court, Southern District of New York, for the offense of attempted narcotics importation. The controlled substance involved

in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 963, 952(a), 960(a)(1) and 960(b)(1).

5. A total maximum sentence of life imprisonment may be imposed for these offenses with a mandatory minimum term of ten years' imprisonment.

6. The defendant is subject to removal pursuant to Section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act of 1952, as amended ("INA"), 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien convicted of acts which constitute a crime involving moral turpitude; Section 212(a)(2)(A)(i)(II) of the INA, 8 U.S.C. § 1182(a)(2)(A)(i)(II), as an alien who has been convicted of, or who admits having committed acts which constitute the essential elements of, a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance; Section 212(a)(2)(C) of the INA, 8 U.S.C. § 1182(a)(2)(C), as an alien that a consular or immigration officers knows or has reason to believe is or has been an illicit trafficker in any controlled substance or has been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking in any such controlled substance; and Section 212(a)(7)(A)(i)(I) of the INA, 8 U.S.C. § 1182 (a)(7)(A)(i)(I), as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under Section 211(a) of the Act.

WHEREFORE, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), the United States of America requests that the Court, at the time of sentencing, order that the defendant be removed from the United States to Colombia, promptly upon his satisfaction of any sentence of imprisonment, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his

sentencing.

Dated: New York, New York
May 5, 2023

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By:



Elinor L. Tarlow
Assistant United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

against -

CARLOS ALBERTO CASTANO-LOAIZA,

CONCURRENCE OF UNITED
STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT

19 Cr. 648 (JMF)

Defendant.

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Based upon consideration of the applicable law and the defendant's statement, I hereby concur, on behalf of United States Immigration and Customs Enforcement, in the United States Attorney's request that a judicial order of removal be granted against the defendant.

Dated: New York, New York
 April 26, 2023



Kenneth Genalo
Field Office Director
United States Immigration and
Customs Enforcement
Enforcement and Removal Operations